

Docket No. 3142/34

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of: Michael E. Reedy and Edward W. Rider, Jr.
Patent No.: 5,817,261
Issued: October 6, 1998
For: PROCESS FOR PRODUCING ALKENYL AROMATIC
FOAMS USING A COMBINATION OF ATMOSPHERIC
AND ORGANIC GASES AND FOAMS PRODUCED
THEREBY

Assistant Commissioner for Patents
Washington, D.C. 20231

REISSUE DECLARATION

Sir:

Michael E. Reedy and Edward W. Rider, Jr. the above-named petitioners, declare that:

1. We are citizens of the United States of America residing respectively at:

Michael E. Reedy
42 First Street
Keyport, NJ 07735

Edward W. Rider, Jr.
RD#1 Box 43 South Plank Road
Slate Hill, NY 10973;

2. The entire title to Letters Patent No. 5,817,261 granted on October 6, 1998 to Michael E. Reedy and Edward W. Rider, Jr. is vested in co-assignees Reedy International Corporation and Genpak Corporation;

3. Petitioner Michael E. Reedy, as President of co-assignee Reedy International Corporation, is authorized to act on behalf of co-assignee Reedy International Corporation, and petitioner Edward W. Rider, Jr., as President of co-assignee Genpak Corporation, is authorized to act on behalf of co-assignee Genpak Corporation;

4. We verily believe ourselves to be the original, first and joint inventors of the invention described and claimed in the aforesaid Letters Patent and in the specification of the attached reissue application for which invention we solicit a reissue patent;

5. We do not know and do not believe the claimed invention was ever known or used in the United States of America before the invention thereof by us;

6. We believe the original patent to be wholly or partly inoperative or invalid by reason of our claiming less we they had a right to claim by failing to obtain claims of varying type and scope. In particular, the error on which reissue is based is that in the original application, we failed to claim an additive suitable for use in a foamable polymer composition, and a foamable polymer composition comprising an alkenyl aromatic polymer and an additive. This error was made without any deceptive intent, and is corrected by the addition of new claims 19 – 50;

7. We have reviewed and understand the contents of the above identified specification and claims, including new claims 19-50 as referred to above;

8. We acknowledge the duty to disclose information which is material to the examination of the attached reissue application in accordance with 37 CFR 1.56;

9. This Declaration is accompanied by the Assignees' assent to the filing of the attached reissue application and by the Assignees' offer to surrender the original Letters Patent as required by 37 CFR 1.178;

10. We appoint the following as our attorneys or agents with full power of substitution to prosecute the attached reissue application and transact all business in the Patent and Trademark Office connected therewith: Michael J. Pantuliano, Reg. No. 18,971; John E. Kidd, Reg. No. 19,916; Victor Siber, Reg. No. 27,149; Margaret B. Kelley, Reg. No. 29,181; Philip E. Roux, Reg. No. 31,295; C. Joseph Laughon, II, Reg. No. 31,389; Leora Ben-Ami, Reg. No. 32,455; Robert D. Schaffer, Reg. No. 33,775; Michael M. O'Shea, Reg. No. 35,631; Joel N. Bock, Reg. No. 36,456; Patricia A. Carson, Reg. No. 36,473; Gerard P. Norton, Reg. No. 36,621; John T. Johnson, Reg. No. 37,363; Victor Geraci, Reg. No. 38,157; Gregory P. Silberman, Reg. No., 39,836; Frank C. Cimino, Reg. No. 39,945; James V. Mahon, Reg. No. 41,966; Frank J. Nuzzi, Reg. No. 42,944; David P. Ries, Reg. No. 43,046; Anne M. Coughlin, Reg. No. 43,564 and Joseph P. Kincart, Reg. No. 43,716, all of the firm of Clifford Chance Rogers & Wells LLP, 200 Park Avenue, New York, NY 10166-0153.

11. Correspondence in connection with the attached reissue application should be addressed to:

Philip E. Roux
Clifford Chance Rogers & Wells LLP
200 Park Avenue
New York, NY 10166-0153

We, the undersigned petitioners, declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false

Patent No. 5,817,261

statements or the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Michael E. Reedy

~~Date~~

Edward W. Rider, Jr.

Date _____

[illegible]

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Michael E. Reedy

Date _____

Edward W. Rider, Jr. Sept. 27, 2000
Edward W. Rider, Jr. Date

Edward W. Rider, Jr.

Date _____

[illegible]

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THEREBY

Assistant Commissioner for Patents
Washington, D.C. 20231

**ASSIGNEES' CONSENT TO REISSUE FILING UNDER
37 C.F.R. § 1.172 AND OFFER TO SURRENDER ORIGINAL
LETTERS PATENT UNDER 37 C.F.R. § 1.178**

Reedy International Corporation, whose post office address is 25 E. Front Street, Keyport, NJ
07735 (hereinafter "Reedy International")

-and-

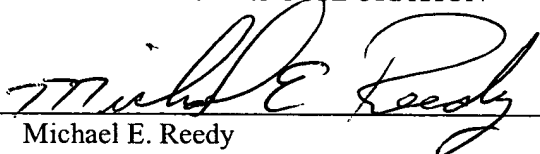
Genpak Corporation, whose post office address is 68 Warren Street, Glen Falls, NY 12801-0727
(hereinafter "Genpak"), declare the following:

1. Reedy International and Genpak are co-assignees and owners of all right, title, and interest in U.S. Patent No. 5,817,261 ("the '261 Patent") entitled "Process for Producing Alkenyl Aromatic Foams Using A Combination Of Atmospheric And Organic Gases And Foams Produced Thereby," issued on October 6, 1998 to Michael E. Reedy and Edward W. Rider, Jr.;

2. Reedy International and Genpak believe that Michael E. Reedy and Edward W. Rider, Jr. are the original, first and joint inventors of the invention described and claimed in U.S. Patent No. 5,817,261 and in the accompanying reissue application for U.S. patent no. 5,817,261, for which they now solicit a reissue patent; and
3. Reedy International and Genpak, as co-assignees of the entire interest in U.S. Patent No. 5,817,261, offer to surrender the original letters patent upon allowance of the accompanying reissue application.

Reedy International and Genpak further declare that all statements made herein are true and all statements made herein on information and belief are believed to be true, and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the accompanying reissue application or any reissue patent granted therein.

REEDY INTERNATIONAL CORPORATION

By: 
Michael E. Reedy
President

Dated: July 15, 2006

GENPAK CORPORATION

By: _____
James J. Reilly
President

Dated: _____

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Assistant Commissioner for Patents
Washington, D.C. 20231

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37 C.F.R. § 1.172 AND OFFER TO SURRENDER ORIGINAL
LETTERS PATENT UNDER 37 C.F.R. § 1.178**

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07735 (hereinafter "Reedy International")

-and-

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REEDY INTERNATIONAL CORPORATION

By: _____
Michael E. Reedy
President

Dated: _____

GENPAK CORPORATION

By: James J. Reilly
James J. Reilly
President

Dated: 9/6/00